

Exhibit 5

DECLARATION

The undersigned hereby declares:

- 1) My name is Charles Russell.
- 2) I am older than 18 years of age.
- 3) I was a client of Chris Frank until August 11, 2022.
- 4) I did not have a meeting or phone call with anyone at First Horizon on August 29, 2022.
- 5) After receiving correspondence stating that TD Bank was acquiring First Horizon, I went to the First Horizon Advisors office located at 2221 Hamilton Place Blvd, Chattanooga, TN 37421 in June or July of 2022.
- 6) Upon arrival at the First Horizon office, I asked to speak with Chris Frank regarding what the acquisition meant for me and my accounts. I was advised that Mr. Frank was in a meeting and then spoke with a young lady who was working in Mr. Frank's office.
- 7) I spoke with her about investing a check from my son. She advised that I could deposit that into my account at First Horizon.
- 8) No one in that office or at any time said that Mr. Frank was leaving First Horizon.
- 9) Neither Mr. Frank nor anyone working with him told me to stop conducting business with First Horizon.
- 10) Neither Mr. Frank nor anyone working with him has solicited me to change my account relationship with First Horizon to another bank.
- 11) I still have my financial accounts with First Horizon.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21 day of September, 2022.

Name:

CHARLES F. Russell

Date:

Signature:

Charles F. Russell 9-21-2022